

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

CF 135 FLAT LLC, CF 135 WEST MEMBERS
LLC, and THE CHETRIT GROUP, LLC,

Plaintiffs,

- against -

TRIADOU SPV S.A. and CITY OF ALMATY, a
foreign city,

Defendants.

ECF Case

No. 15 CV 05345 (AJN)

**DECLARATION OF DEBORAH A.
SKAKEL IN SUPPORT OF
DEFENDANT TRIADOU SPV S.A.'S
MOTION TO DISMISS THE
AMENDED INTERPLEADER
COMPLAINT**

DEBORAH A. SKAKEL, declares as follows:

1. I am a partner at Dickstein Shapiro LLP, attorneys for Defendant Triadou SPV S.A. ("Triadou"), and submit this Declaration in support of Triadou's motion to dismiss the Amended Interpleader Complaint, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

2. Attached hereto are true and correct copies of the following documents:

Exhibit 1: Amended Interpleader Complaint, ECF No. 25;

Exhibit 2: Interpleader Complaint, ECF No. 1-1;

Exhibit 3: Assignment Agreement;

Exhibit 4: Order, *Triadou SPV S.A. v. CF 135 Flat LLC*, Index No. 653462/2014, NYSCEF Doc. No. 35 (N.Y. Sup. Ct. N.Y. County Feb. 3, 2015) ("State Court Action 1");

Exhibit 5: Order, *Triadou SPV S.A. v. CF 135 Flat LLC*, Index No. 650239/2015, NYSCEF Doc. No. 39 (N.Y. Sup. Ct. N.Y. County Apr. 15, 2015) ("State Court Action 2");

Exhibit 6: Letter, dated January 5, 2015, NYSCEF Doc. No. 26, State Court Action 1;

- Exhibit 7: Attorney Affirmation in Support of Defendants' Order to Show Cause, dated March 30, 2015, NYSCEF Doc. No. 45, State Court Action 1;
- Exhibit 8: Affirmation of Emergency in Support of Defendants' Order to Show Cause, dated May 26, 2015, NYSCEF Doc. No. 63, State Court Action 1;
- Exhibit 9: Order to Show Cause with Restraints, dated July 13, 2015, NYSCEF Doc. No. 88, State Court Action 1;
- Exhibit 10: Order to Show Cause with Restraints, dated July 13, 2015, NYSCEF Doc. No. 85, State Court Action 2;
- Exhibit 11: Scheduling and Case Management Order re: Jury Trial, *City of Almaty v. Khrapunov*, Case No. CV 14-3650 FMO (CWx) (C.D. Cal. Nov. 3, 2014), ECF No. 55;
- Exhibit 12: Affirmation in Support of Plaintiff's Motion for Summary Judgment in Lieu of Complaint, dated November, 10, 2014, NYSCEF Doc. No. 3, State Court Action 1 (Exhibits omitted);
- Exhibit 13: Affirmation in Support of Plaintiff's Motion for Summary Judgment in Lieu of Complaint, dated January 26, 2015, NYSCEF Doc. No. 3, State Court Action 2 (Exhibits omitted);
- Exhibit 14: Affirmation in Support of Plaintiff's Motion for Summary Judgment in Lieu of Complaint, dated May 8, 2015, NYSCEF Doc. No. 3, *Triadou SPV S.A. v. CF 135 Flat LLC*, Index No. 154681/2015 (N.Y. Sup. Ct. N.Y. County) (Exhibits omitted);
- Exhibit 15: Affirmation in Support of Plaintiff's Motion for Summary Judgment in Lieu of Complaint, dated July 9, 2015, NYSCEF Doc. No. 3, *Triadou SPV S.A. v. CF 135 Flat LLC*, Index No. 156907/2015 (N.Y. Sup. Ct. N.Y. County) (Exhibits omitted); and
- Exhibit 16: Reply Affirmation in Further Support of Defendants' Order to Show Cause, dated July 17, 2015, NYSCEF Doc. No. 91, State Court Action 2.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
August 31, 2015

s/Deborah A. Skakel
Deborah A. Skakel